

---

---

**Council Meeting Date: September 22, 2010**

**Agenda Item: I1**

---

---

**GROWTH MANAGEMENT PLANNING COUNCIL AGENDA ITEM**  
**KING COUNTY, WASHINGTON**

AGENDA TITLE: Issaquah Highlands Urban Growth Area Boundary Amendment
---

PRESENTED BY: Paul Reitenbach, King County
--

**Summary**

The City of Issaquah, King County, and the property owner of the Issaquah Highlands have signed an amendment to an existing 3-party agreement. The amended 3-party agreement anticipates the designation of 35 acres of new Urban land at Issaquah Highlands. These 35 acres are currently designated Rural, and are a portion of a 78 acre parcel that is adjacent to the Urban Growth Area boundary and adjacent to the Issaquah Highlands development.

The amended 3-party agreement specifies that the remaining 43 acres of the 78-acre property would retain the existing Rural land use designation, and be dedicated as a park or open space in perpetuity. Ownership and future management of this land will be determined by subsequent negotiations between Issaquah and King County.

In addition to the creation of 43 new acres of park or open space land, the amended 3-party agreement calls for extinguishing the development rights for at least 100 acres of land within the City of Issaquah or other urban land in the vicinity of Issaquah. This will be accomplished by Transfer of Development Rights (TDR) to an urban receiving area within the City of Issaquah. The 101 acre Park Point property is the preferred TDR sending area. Extinguishing the development rights on the 101 acre Park Point property, plus the 43 acre proposed new park site, will result in somewhat more than four times more open space and park land as the proposed 35 acres of new urban land ( $35 \times 4 = 140$  acres required;  $43 + 101 = 144$  acres provided).

On September 27, the King County Council will consider amending the King County Comprehensive Plan (KCCP) to implement the amended 3-party agreement.

## **Applicable Countywide Planning Policies**

**LU-26      The lands within Urban Growth Areas shall be characterized by urban development. The Urban Growth Area shall accommodate the 20-year projection of household and employment growth with a full range of phased urban governmental services. The Countywide Planning Policies shall establish the Urban Growth Area based on the following criteria:**

- a.    Include all lands within existing cities, including cities in the Rural Area and their designated expansion areas;**
- b.    The Growth Management Planning Council recognizes that the Bear Creek Master Plan Developments (MPDs) are subject to an ongoing review process under the adopted Bear Creek Community Plan and recognizes these properties as urban under these Countywide Planning Policies. If the applications necessary to implement the MPDs are denied by King County or not pursued by the applicant(s), then the property subject to the MPD shall be redesignated rural pursuant to the Bear Creek Community Plan. Nothing in these Planning Policies shall limit the continued review and implementation through existing applications, capital improvements appropriations or other approvals of these two MPDs as new communities under the Growth Management Act;**
- c.    Not include rural land or unincorporated agricultural, or forestry lands designated through the Countywide Planning Policies plan process; which can be efficiently and cost effectively served by roads, water, sanitary sewer and storm drainage, schools and other urban governmental services within the next 20 years;**
- d.    Do not extend beyond natural boundaries, such as watersheds, which impede provision of urban services;**
- e.    Respect topographical features which form a natural edge such as rivers and ridge lines; and**
- f.    Include only areas which are sufficiently free of environmental constraints to be able to support urban growth without major environmental impacts unless such areas are designated as an urban separator by interlocal agreement between jurisdictions.**

**LU-37      All jurisdictions shall cooperate in developing comprehensive plans which are consistent with those of adjacent jurisdictions and with the Countywide Planning Policies.**

**Applicable King County Comprehensive Plan Policy:**

**RP-303** Except as otherwise provided in this policy, the annual cycle shall not consider proposed amendments to the King County Comprehensive Plan that require substantive changes to comprehensive plan policies and development regulations or that alter the Urban Growth Area (UGA) Boundary. Substantive amendments and changes to the UGA Boundary may be considered in the annual amendment cycle only if the proposed amendments are necessary for the protection and recovery of threatened and endangered species, to implement a proposal for a 4 to 1 project or to implement an amendment to a joint interlocal/development agreement in existence on January 1, 2008, between King County, another local government, and one or more private parties, only if the amendment to the joint interlocal/development agreement includes a provision to alter the UGA boundary to add areas to the Urban Growth Area, requires that an area four times the area that is added to the Urban Growth Area be permanently designated as park or open space and requires the transfer of development rights on terms as provided in the amendment (emphasis added).

**Analysis:**

The proposed UGA amendment is consistent with applicable Countywide Planning Policies and the King County Comprehensive Plan policy cited above. King County and the City of Issaquah have worked cooperatively to develop this proposed UGA boundary amendment. The use of Transfer of Development Rights to preserve at least four times the amount of open space as the 35 acre addition to the UGA meets the planning goals of both jurisdictions.

KCCP Policy RP-303 allows consideration of a proposed change to the UGA boundary in an annual update of the KCCP in very narrowly defined circumstances. The relevant portion of Policy RP-303, underlined above, includes three provisions:

1. Implement an amendment to a joint interlocal/development agreement in existence on January 1, 2008, between King County, another local government, and one or more private parties; and
2. Include a proposal to alter the UGA and requires that an area four times the area that is added to the UGA be permanently designated as park or open space; and

3. Require the use of Transfer of Development Rights on terms as specified in the amendment to the three party agreement.

The proposed land use changes include designation of 35 acres of new urban land, dedication of 43 acres of what is now private property as a park, and the creation of at least 100 acres of open space via transfer of development rights. The proposal to create 144 acres of park land and open space is more than four times the size of the proposed 35 acre addition to the UGA.

Transfer of development rights will be used to create at least 100 acres of open space and send 410 units of additional development capacity to the existing City of Issaquah.

This proposed UGA change meets the requirements of policy RP-303 for consideration of a UGA amendment in an annual update of the KCCP. The proposal outlined above also satisfies the requirement of King County Comprehensive Plan policy RP-303 that an area four times the area added to the UGA is permanently designated as park or open space and that Transfer of Development Rights be used to create open space. Therefore, all three requirements of policy RP-303 are satisfied by this proposal.

Adding 35 acres of new urban land consistent with policy RP-303 creates the opportunity for efficient new housing development within the Urban Growth Area, as envisioned by the State Growth Management Act.

Extinguishing the development potential on the 101 acre Park Point property, or an equivalent amount of other urban land in the vicinity of Issaquah, creates additional open space consistent with City and County planning goals.

Transfer of development rights to receiving sites within the Urban Growth Area will result in no net loss of development capacity as new open space is created within the UGA, also consistent with City and County planning goals.

**Staff Recommendation: Approve Motion 10-3.**